

**REMARKS**

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks herein, is respectfully requested.

Claims 35, 40, 47, 49, 65, 107, 109, 110, and 120 are amended, and claims 121-122 are added. The amendments are intended to advance the application and are not intended to concede to the correctness of the Examiner's position or to prejudice the prosecution of the claims prior to amendment, which claims are present in a continuation of the present application. Claims 35-44, 46-51, 55-56, 58, 64-67, 69-77, 107, and 109-122 are pending in this application.

With regard to rejoinder, claims 35, 40, 47, and 65 are amended to address the Examiner's comments on page 5 of the Office Action.

Claims 107 and 109-120 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The amendment to claims 107, 109, 110 and 120 obviate the 35 U.S.C. § 112, second paragraph, rejections.

Claim 109 was rejected under 35 U.S.C. § 102(b) as being anticipated by Stryer, Biochemistry, 3<sup>rd</sup> Ed., W.H. Freeman and Co., New York, 1988, pp. 757-758. The amendment to claim 109 renders the 35 U.S.C. § 102(b) rejection moot.

Claims 35-39, 40-44, 46-51, 55-56, 58, 65-67, and 69-77 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 47-52 of copending application Serial No. 11/194,110. A Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(b)(iv) is enclosed herewith to obviate this rejection.

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111**

Serial Number: 10/768,976

Filing Date: January 30, 2004

Title: COVALENT TETHERING OF FUNCTIONAL GROUPS TO PROTEINS

Page 13

Dkt: 341.020US1

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KEITH V. WOOD ET AL.

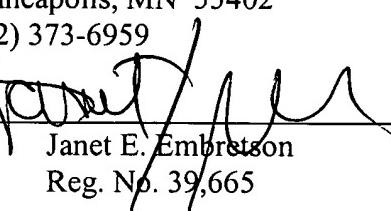
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6959

Date

November 1, 2006

By

  
Janet E. Embretson  
Reg. No. 39,665

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15 day of November 2006.

Name

Keith V. Wood

Signature

David M. Rose